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B7/14/05

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Stephen J. Russell et al. Art Unit : 1632
Patent No. : 6,896,881 Examiner : Shin Lin Chen
Issue Date : May 24, 2005
Serial No. : 09/667,947
Filed : September 22, 2000
Title : THERAPEUTIC METHODS AND COMPOSITIONS USING VIRUSES OF THE RECOMBINANT PARAMYXOVIRIDAE FAMILY

OFFICE OF PATENT LEGAL ADMINISTRATION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

LETTER REGARDING PATENT TERM ADJUSTMENT

In response to the Decision Regarding Patent Term Adjustment mailed July 26, 2005, Applicants would like to call to the Office's attention the absence of an entry in the PAIR/PALM system. Applicants filed formal drawings along with the Response to Notice of Allowance on April 5, 2005 (copy enclosed). No time was assessed as Applicant Delay in connection with the filing of the formal drawings.

As the patent issued on May 24, 2005, Applicants believe 49 days of Applicant Delay should have been assessed for this post-allowance filing. The correct PTA calculation should be 370 days rather than the currently calculated 49 days. Applicants respectfully request the issuance of a Certificate of Correction indicating the correct PTA calculation.

CERTIFICATE OF MAILING BY FIRST CLASS MAIL

I hereby certify under 37 CFR §1.8(a) that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage on the date indicated below and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Applicant : Stephen J. Russell et al.
Patent No. : 6,896,881
Issued : May 24, 2005
Serial No. : 09/667,947
Filed : September 22, 2000
Page : 2 of 2

Attorney's Docket No.: 07039-298001

Applicants believe that no fee is due at this time. Any fees that may be due, however, may be applied to Deposit Account No. 06-1050.

Respectfully submitted,

Date: August 17, 2005


J. Patrick Finn III, Ph.D.
Reg. No. 44,109

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Attorney's Docket No.: 07039-298001

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Stephen James Russell et al.
Serial No. : 09/667,947
Filed : September 22, 2000

Art Unit : 1632
Examiner : Shin Lin Chen
Confirmation No.: 9619
Notice of Allowance Date: January 5, 2005

Title : THERAPEUTIC METHODS AND COMPOSITIONS USING VIRUSES OF THE RECOMBINANT PARAMYXOVIRIDAE FAMILY

MAIL STOP ISSUE FEE

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO NOTICE OF ALLOWANCE

In response to the Notice of Allowance mailed January 5, 2005, enclosed are a completed issue fee transmittal form PTOL-85b, transmittal of 29 sheets of formal drawings, and a check for \$730 for the required fee, including patent copies.

Please apply any additional charges or credits to our Deposit Account No. 06-1050.

Respectfully submitted,

Date: April 5, 2005


J. Patrick Finn III, Ph.D.
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CERTIFICATE OF MAILING BY EXPRESS MAIL

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April 5, 2005

Date of Deposit



PART B - FEE(S) TRANSMITTAL

Complete and send this form, together with applicable fee(s), to: Mail

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26191 7590 01/05/2005

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FISH & RICHARDSON P.C., P.A.
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Date

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/667,947	09/22/2000	Stephen James Russell	07039-298001	9619

TITLE OF INVENTION: THERAPEUTIC METHODS AND COMPOSITIONS USING VIRUSES OF THE RECOMBINANT PARAMYXOVIRIDAE FAMILY

APPLN. TYPE	SMALL ENTITY	ISSUE FEE	PUBLICATION FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	YES	\$700		\$700	04/05/2005

EXAMINER	ART UNIT	CLASS-SUBCLASS
CHEN, SHIN LIN	1632	424-009320

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).
 Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.
 "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. Use of a Customer Number is required.

2. For printing on the patent front page, list (1) the names of up to 3 registered patent attorneys or agents OR, alternatively, (2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed.

1. Fish & Richardson P.C., P.A.

2. _____

3. _____

3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. Inclusion of assignee data is only appropriate when an assignment has been previously submitted to the USPTO or is being submitted under separate cover. Completion of this form is NOT a substitute for filing an assignment.
(A) NAME OF ASSIGNEE

Mayo Foundation for Medical Education and Research

Rochester, MN

Please check the appropriate assignee category or categories (will not be printed on the patent): individual corporation or other private group entity government

4a. The following fee(s) are enclosed:

Issue Fee
 Publication Fee (No small entity discount permitted)
 Advance Order - # of Copies 10

4b. Payment of Fee(s):

A check in the amount of the fee(s) is enclosed.
 Payment by credit card. Form PTO-2038 is attached.
 The Director is hereby authorized to charge the required fee(s), or credit any overpayment, to Deposit Account Number 06-1050 (enclose an extra copy of this form).

5. Change in Entity Status (from status indicated above)

a. Applicant claimed SMALL ENTITY status. See, small entity statement filed 12/19/00; and 37 CFR 1.27.

b. Applicant is no longer claiming SMALL ENTITY status. See 37 CFR 1.27(g)(2).

The Director of the USPTO is requested to apply the Issue Fee and Publication Fee (if any) or to re-apply any previously paid issue fee to the application identified above. NOTE: The issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant, a registered agent or; or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

(Authorized Signature) 

(Date) April 5, 2005

Typed or Printed Name J. Patrick Finn III, Ph.D.

Registration No. 44,109

This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

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TRANSMIT THIS FORM WITH FEE(S)

Applicant : Stephen James Russell et al.

Art Unit : 1632

Serial No. : 09/667,947

Examiner : Shin Lin Chen

Filed : September 22, 2000

Confirmation No.: 9619

Notice of Allowance Date: January 5, 2005

Title : THERAPEUTIC METHODS AND COMPOSITIONS USING VIRUSES OF THE RECOMBINANT PARAMYXOVIRIDAE FAMILY

MAIL STOP ISSUE FEE

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

TRANSMITTAL OF FORMAL DRAWINGS

In response to the Notice of Allowability mailed January 5, 2005, please substitute the enclosed 29 sheets of replacement formal drawings for the corresponding drawings presently in the application.

Please apply any charges or credits to Deposit Account No. 06-1050.

Respectfully submitted,

Date: April 5, 2005


J. Patrick Finn III, Ph.D.
Reg. No. 44,109

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Minneapolis, MN 55402
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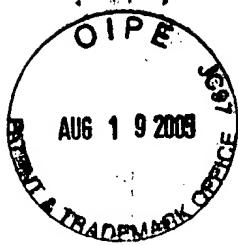
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Attorney's Docket No. 07039-298001	Express Mail Label No. EV602144162US	Mailing Date April 5, 2005	For PTO Use Only <i>Do Not Mark in This Area</i>
Application No. 09/667,947	Filing Date September 22, 2000	Attorney/Secretary Init MSE/JXF/jaw	
Title of the Invention THERAPEUTIC METHODS AND COMPOSITIONS USING VIRUSES OF THE RECOMBINANT PARAMYXOVIRIDAE FAMILY			
Applicant Stephen James Russell et al.			
Enclosures <ul style="list-style-type: none"> • Issue Fee Transmittal (PTOL-85 (1 page) • Response to Notice of Allowance (1 page) • Transmittal of Formal Drawings (1 page) • Drawings (formal, 29 sheets) Check in the amount of \$730.00			
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